


FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TX
MAR 15 PM 12:00
CLERK U.S. BANKRUPTCY
COURT
BY _____ DEPUTY

CASE NO. 97-91210

CHAPTER 7

BY _____ DEPUTY

Therefore, the trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.


Stephen J. Zayler
Trustee

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution and have no objection.

Date: 3-12-01

By: 

31 Nov

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE:
DAVIS, JIMMIE L.

)
)
)
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)

CASE NO. 97-91210

CHAPTER 7

DEBTOR(S)

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.

2. The Trustee submits Schedule F as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554(c).

3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them, and the estate is ready to be closed.

4. The Trustee submits Schedule A as the account of estate cash receipts and disbursements.

5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.


6. The Trustee requests approval of this final report.

7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of A Supplemental Final Report and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: February 16, 2001


Stephen J. Zayler Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF February 16, 2001

A. RECEIPTS		\$33,818.85
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B. DISBURSEMENTS

(1) Secured creditors	0.00
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(2) Administrative	14,407.13
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(3) Priority	0.00
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(4) Other BACK TO DEBTOR	7,250.09
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TOTAL DISBURSEMENTS	\$21,657.22
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BALANCE OF FUNDS	\$12,161.63
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TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

ZAYLER

CASE NAME:

DAVIS, JIMMIE

CASE NUMBER:

97-91210

DATE UST APPROVED:

03-12-01

COMMENTS:

ESTATE INCOME:

TOTAL RECEIPTS:

\$33,818.85

100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION

3,406.88

10.07%

TRUSTEE'S EXPENSES

881.02

2.61%

FIRM'S PROFESSIONAL FEES

0.00

0.00%

FIRM'S PROFESSIONAL EXPENSES

0.00

0.00%

OTHER ATTORNEY FEES

14,407.13

42.60%

OTHER PROFESSIONAL FEES

0.00

0.00%

COURT COSTS

0.00

0.00%

ESTATE EXPENSES(TAXES, ETC)

0.00

0.00%

PRIOR CHAPTER COSTS

0.00

0.00%

SECURED CLAIMS PAID

0.00

0.00%

PRIORITY CLAIMS PAID

0.00

0.00%

UNSECURED CLAIMS PAID

7,873.73

23.28%

OTHER(RETURN TO DEBTOR, ETC)

7,250.09

21.44%

0% 10% 20% 30% 40% 50%

UNSECURED CLAIMS ALLOWED

UNSECURED CLAIMS PAID

PERCENT RECOVERED FOR UNSECURED

6,477.91

7,873.73

121.55%

FORM 1 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Case No: 97-91210 BP9 Judge: BILL PARKER
Case Name: DAVIS, JIMMIE L.

Trustee Name: Stephen J. Zayler
Date Filed (f) or Converted (c): 07/10/97 (f)
341(a) Meeting Date: 09/04/97
Claims Bar Date: 12/09/97

For Period Ending: 02/16/01

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. HOUSEHOLD GOODS	200.00	0.00		0.00	FA
2. WEARING APPAREL	150.00	0.00		0.00	FA
3. '81 BUICK	500.00	0.00		0.00	FA
4. LAWSUIT	0.00	25,000.00		33,515.30	FA
5. Post-Petition Interest Deposits (u)	Unknown	N/A		303.55	FA
TOTALS (Excluding Unknown Values)	\$850.00	\$25,000.00		\$33,818.85	\$0.00
				Gross Value of Remaining Assets	
				(Total Dollar Amount in Column 6)	

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/99 Current Projected Date of Final Report (TFR): 03/31/01

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1

Case No: 97-91210 BP9
 Case Name: DAVIS, JIMMIE L.
 Taxpayer ID No: 75-6578692
 For Period Ending: 02/16/01

Trustee Name: Stephen J. Zayler
 Bank Name: BANK OF AMERICA
 Account Number: 3754223648 Money Market - Interest Bearing

Blanket Bond (per case limit): \$ 300,000.00
 Separate Bond (if applicable):

1	2	3	4	5	6	7	8	9	10
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Interest (\$)	Checks (\$)	Adjustments (\$)	Transfers (\$)	Account Balance (\$)
06/01/00	4	FOSTER & SEAR, LLP	BALANCE FORWARD						0.00
06/01/00	4	FOSTER & SEAR, LLP	PARTIAL SETTLEMENT OF LAWSUIT MET-LIFE	1,900.00					1,900.00
06/01/00	4	FOSTER & SEAR, LLP	PARTIAL SETTLEMENT OF LAWSUIT A C & S	2,700.00					4,600.00
06/30/00	5	BANK OF AMERICA	PARTIAL SETTLEMENT OF LAWSUIT HARBISON-WALKER	1,500.00					6,100.00
07/31/00	5	BANK OF AMERICA	Interest Rate 2.350		10.17				6,110.17
08/31/00	5	BANK OF AMERICA	Interest Rate 2.350		12.17				6,122.34
09/11/00	4	FOSTER & SEAR, LLP	Interest Rate 2.350		12.20				6,134.54
09/29/00	5	BANK OF AMERICA	PARTIAL SETTLEMENT OF LAWSUIT JOHNS-MANVILLE	2,500.00					8,634.54
10/04/00	4	FOSTER & SEAR, LLP	Interest Rate 2.350		14.15				8,648.69
10/16/00	4	FOSTER & SEAR, LLP	PARTIAL SETTLEMENT PROCEEDS EAGLE-PICHER SETTLEMENT	400.00					9,048.69
10/16/00	4	FOSTER & SEAR, LLP	SETTLEMENT PROCEEDS - W. R. GRACE	3,200.00					12,248.69
10/16/00	4	FOSTER & SEAR, LLP	SETTLEMENT PROCEEDS - COMBUSTION ENGINEERS	2,250.00					14,498.69
10/16/00	4	FOSTER & SEAR, LLP	SETTLEMENT PROCEEDS - CCR	16,065.30					30,563.99
10/31/00	5	BANK OF AMERICA	Interest Rate 2.350		36.48				30,600.47
11/28/00	4	FOSTER & SEAR	PARTIAL SETTLEMENT PROCEEDS - AQUA AQUA-CHEM	500.00					31,100.47
11/30/00	5	BANK OF AMERICA	Interest Rate 2.350		59.03				31,159.50
12/29/00	5	BANK OF AMERICA	Interest Rate 2.350		58.07				31,217.57
01/10/01	4	FOSTER & SEAR, LLP	SETTLEMENT PROCEEDS - BROWN & ROOT	2,500.00					33,717.57
01/12/01	000101	FOSTER & SEAR, L.L.P. ATTORNEYS AT LAW 360 PLACE OFFICE PARK 1201 N. WATSON ROAD, SUITE 145 ARLINGTON, TX 76006	PAYMENT OF ATTORNEY FEES Per Order dated 7-13-00.			14,407.13			19,310.44
01/31/01	5	BANK OF AMERICA	Interest Rate 2.350		69.56				19,380.00

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 97-91210 BPr
Case Name: DAVIS, JIMMIE L.

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223648 Money Market - Interest Bearing

Taxpayer ID No: 75-6578692
For Period Ending: 02/16/01

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4	5	6	7	8	9	10
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Interest (\$)	Checks (\$)	Adjustments (\$)	Transfers (\$)	Account Balance (\$)
02/16/01	5	BANK OF AMERICA	INTEREST REC'D FROM BANK		31.72				19,411.72
02/16/01		Transfer to acct #3754223897	Final Posting Transfer					-19,411.72	0.00

Account 3754223648		Balance Forward	0.00	
10	Deposits	33,515.30		1 Checks 14,407.13
9	Interest Postings	303.55		0 Adjustments Out 0.00
	Subtotal	\$ 33,818.85		1 Transfers Out 19,411.72
				Total \$ 33,818.85
0	Adjustments In	0.00		
0	Transfers In	0.00		
	Total	\$ 33,818.85		

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 97-91210 BP9
Case Name: DAVIS, JIMMIE L.

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223897 Checking - Non Interest

Taxpayer ID No: 75-6578692
For Period Ending: 02/16/01

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4	5	6	7	8	9	10
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Interest (\$)	Checks (\$)	Adjustments (\$)	Transfers (\$)	Account Balance (\$)
02/16/01			BALANCE FORWARD						0.00
02/16/01	001001	Transfer from Acct #3754223648 JIMMIE L. DAVIS	Transfer In From MMA Account EXCESS FUNDS TO DEBITOR (To be paid upon approval			7,250.09		19,411.72	19,411.72
									12,161.63

OF TFR

Account 3754223897	Balance Forward	0.00
0 Deposits	0.00	7,250.09
0 Interest Postings	0.00	0.00
Subtotal	\$ 0.00	0.00
0 Adjustments In	0.00	Total
1 Transfers In	19,411.72	\$ 7,250.09
Total	\$ 19,411.72	

Report Totals	Balance Forward	0.00	2 Checks	21,657.22
10 Deposits	33,515.30		0 Adjustments Out	0.00
9 Interest Postings	303.55		1 Transfers Out	19,411.72
	<u>Subtotal</u>	<u>\$ 33,818.85</u>		
	0 Adjustments In	0.00	Total	\$ 41,068.94
	1 Transfers In	19,411.72		
	<u>Total</u>	<u>\$ 53,230.57</u>		
			Net Total Balance	\$ 12,161.63

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

JUL 14 1 14 PM '00

IN RE:

JIMMIE L. DAVIS
SSN 455-44-4419
DEBTOR

\$
\$
\$
\$
\$

CASE NO. 97-91210
CHAPTER 7

CLERK US BANKRUPTCY
BY DEPUTY

ORDER APPROVING AMENDED APPLICATION FOR
COMPENSATION AND REIMBURSEMENT OF
EXPENSES TO SPECIAL COUNSEL, FOSTER & SEAR

EOD JUL 14 '00

On or about June 9, 2000, the Amended Application for Compensation and Reimbursement of Expenses (the Application) was filed by Stephen J. Zayler, Trustee, on behalf of FOSTER & SEAR, Special Counsel in the above-referenced case. The Court finds that the Application was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate twenty (20)-day negative notice language, pursuant to Local Rule of Bankruptcy Procedure 9007, which directed any party opposed to the granting of the relief sought by the Application to file a written response within twenty days or the Application would be deemed by the Court to be unopposed. The Court finds that no objection or other written response to the Application has been timely filed by any party. Due to the failure of any party to file a timely written response, the allegations contained in the Application stand unopposed, and upon its review of the Application, the Court finds that good cause exists for the entry of the following order.

IT IS THEREFORE ORDERED that the Trustee be authorized to pay FOSTER & SEAR, as compensation for legal services rendered as Counsel for the Trustee, a contingency fee of forty percent (40%) of the gross recovery for each settled claim for the sum of \$21,371.00, and reimbursement of out-of-pocket expenses in the sum and aggregate gross amount of \$1,376.01 for a maximum compensation of \$23,746.01 and that the same be paid from the funds of this estate.

DATED this 13th day of July, 2000.

Brie Tucker
UNITED STATES BANKRUPTCY JUDGE

APPLICATION FOR COMPENSATION AND REIMBURSEMENT
OF EXPENSES PURSUANT TO 11 U.S.C. SECTION 330

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SCHEDULE B

APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS

Receipts	\$26,568.76	25 % of First \$5,000	\$1,250.00
Less	-\$5,000	(\$1,250.00 Max)	
Balance	\$21,568.76	10 % of Next \$45,000	\$2,156.88
Less	-\$45,000	(\$4,500.00 Max)	
Balance	\$0.00	5 % of Next \$950,000	\$0.00
Less	-\$950,000	(\$47,500.00 Max)	
Balance	\$0.00	3 % of Balance	\$0.00

TOTAL COMPENSATION REQUESTED \$3,406.88*

***TRUSTEE FEES DO NOT INCLUDE COMPUTATION ON FUNDS PAID TO BE PAID TO DEBTOR**

TRUSTEE EXPENSES:

Premium on Trustee's Bond		\$0.00
Travel (0.00 at 0.00cents per mile)		\$0.00
Copies (1,023.00 page at 0.25 cents per copy)		\$255.75
Postage		\$101.17
Telephone Charges		\$23.00
Clerical/Secretarial (7.70 hrs. at 15.00 per hour)	SEE ATTACHED	\$115.50
Paralegal/Assistance (7.70 hrs. at 50.00 per hour)	SEE ATTACHED	\$385.00
Supplies/Stationary		\$0.60
Distribution Expenses		\$0.00
Miscellaneous		\$0.00

TOTAL EXPENSES \$881.02

Records : Trustee did not take possession of
business or personal records of Debtor.

X

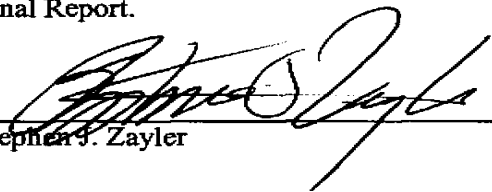
Notice given debtor on
to pick up business or personal records
in hands of Trustee.

THE STATE OF TEXAS)

COUNTY OF ANGELINA)

BEFORE ME, the undersigned authority on this date personally appeared Stephen J. Zayler, and under oath stated the following:

"I, Stephen J. Zayler, am the duly appointed Trustee in the JIMMIE L. DAVIS bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341a meeting and monitored the progress and ultimately settlement of the debtor's interest in a personal injury lawsuit. I had numerous conversations with the personal injury attorney, subsequently retained as Special Counsel, the debtor and the debtor's attorney regarding the settlement of the lawsuit. I filed all the necessary applications to enter into a Compromise Settlement Agreement of the personal injury lawsuit and to pay Special Counsel their fees and expenses. Further, I will pay all allowed claims in full plus interest with a total of excess being reimbursed from this debtor estate to the debtor of \$7,250.09 along with future settlement funds to be paid directly to the debtor. Further, I performed all other numerous duties of a Trustee, including, but not limited to, preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.


Stephen J. Zayler

SWORN TO AND SUBSCRIBED TO before me on this the 16th day of February, 2001.


NOTARY PUBLIC, THE STATE OF TEXAS



ITEMIZATION OF PARALEGAL TIME

November 11, 1997 - Prepare Application to Employ Special Counsel, Foster & Sear, Affidavit of Disinterestedness and proposed Order;
(SC - .90)

April 21, 1998 - Load asset, lien information and exemption information into computer;
(RA - .30)

June 7, 1999 - Prepare Stipulation as to Distribution of Recovery Under State Court Cause of Action (this was never signed by the Debtor - so it was never filed);
(SC - 1.40)

June 7, 1999 - Correspondence to Vicky Black with Foster & Sear regarding stipulation with the debtor as to proceeds of State Court lawsuit;
(SC - .30)

June 6, 2000 - Receive and review numerous proposed Compromise Settlement Agreement and Releases from various defendants in State Court lawsuit;
(SC - .40)

June 6, 2000 - Prepare Motion to Approve Compromise Settlement Agreement with numerous defendants in State Court along with proposed Order;
(SC - 1.40)

June 6, 2000 - Prepare Application to Pay Special Counsel, Foster & Sear, along with proposed Order;
(SC - 1.20)

June 6, 2000 - Prepare Summary of Application to Pay Special Counsel, Foster & Sear, for service on all creditors;
(SC - .40)

June 8, 2000 - Prepare Amended Motion to Approve Compromise Settlement Agreement with numerous defendants in State Court along with proposed Order (adding another settlement just received);
(SC - .20)

June 8, 2000 - Prepare Amended Application to Pay Special Counsel, Foster & Sear, along with proposed Order (to include additional settlement);
(SC - .30)

June 6, 2000 - Prepare Amended Summary of Application to Pay Special Counsel, Foster & Sear, for service on all creditors;
(SC - .20)

July 24, 2000 - Office conference with debtor reviewing, executing and acknowledging numerous Compromise Settlement Agreements and Releases;
(RA - .40)

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July 25, 2000 - Correspondence to Foster & Sear regarding Compromise Settlement
Agreements and Release of various defendants in State Court lawsuit;
(SC -- .30)

RECAP OF PARALEGAL TIME:

REBECCA ALLEN (RA)	-	.70 hrs. @ \$50.00/per hr.	= \$	35.00
SHERRY CARNLEY (SC)	-	7.00 hrs. @ \$50.00/per hr.	=	<u>350.00</u>
TOTAL:		7.70 hrs. @ \$50.00/per hr.	-\$	385.00

RESUMES OF THE PARALEGAL ASSISTANTS TO THE TRUSTEE

Rebecca Allen

Employed by the Trustee September 1, 1990. Has 23 years bankruptcy and other legal experience and was formerly employed by another Chapter 7 Trustee.

Her duties performed for the Trustee include loading information into the case management system when files are received, preparation of Trustee's Report of No Distribution, preparation of various correspondence between Trustee and interested parties, answer telephone calls regarding routine questions, assisting with the location, collection and disposition of assets, assisting in the collection of sale proceeds and accounts receivable, answering questions from creditors, opening bank accounts, securing Tax ID Nos., preparing deposits and disbursement checks, posting deposits and disbursements into computer, reconciling bank statements, organizing files, preparation of objections to claims, preparation of various pleadings including applications and motions in contested matters, preparation of semi-annual reports, preparation of Trustee's Final Reports and Request for Compensation and preparation of Trustee's Supplemental Final Reports.

Sherry Carnley

Employed by the Trustee December 1, 1994. Has 18 years broad legal experience in all areas of law.

Her duties performed for the Trustee include organizing files, preparation of various pleadings including applications and motions in contested matters, principal assistant to the attorney for the Trustee in the preparation of adversary proceeding complaints, discovery, pre-trial and post-trial pleadings, preparing monthly reports in operating Chapter 7's, principally responsible for assisting with the location, collection, and disposition of assets, assisting in the collection of sale proceeds and accounts receivable, answering general questions from creditors, preparation of correspondence, preparation of objections to claims, preparation of various miscellaneous and other legal documents.

ITEMIZATION OF SECRETARIAL AND CLERICAL TIME

July 17, 1997 - Setting up file;
(RA - .10)

September 18, 1997 - Receipt of and calendar bar date;
(RA - .10)

August 12, 1999 - Organize file;
(RA - .10)

May 22, 2000 - Correspondence to Court returning claims folder;
(RA - .20)

June 1, 2000 - Telephone conference with Bank of America opening new account with
and load account information;
(RA - .20)

June 1, 2000 - Preparation of receipt of checks;
(CP - .10)

June 1, 2000 - Prepare three (3) deposits and post;
(RA - .40)

June 1, 2000 - Prepare SS-4 form for transmittal to IRS to obtain tax
identification number;
(RA - .20)

June 6, 2000 - Copying, stapling and folding of Trustee's Motion to Approve
Compromise Settlement Agreement and Summary of Trustee's Application for
Compensation to Special Counsel, addressing and stamping of notices for mailing to
creditors and interested parties;
(CP - .90)

June 8, 2000 - Organize file;
(RA - .20)

June 8, 2000 - Copying, stapling and folding of Amended Trustee's Motion to
Approve Compromise Settlement Agreement and Amended Summary of Trustee's
Application for Compensation to Special Counsel, addressing and stamping of
notices for mailing to creditors and interested parties **(to add additional
settlement received after Motion was filed)**;
(CP - .90)

June 12, 2000 - Prepare W-9 for transmittal to Bank of America;
(RA - .10)

August 11, 2000 - Reconcile bank statement;
(SB - .10)

September 11, 2000 - Preparation of receipt of funds;
(CP - .10)

September 11, 2000 - Prepare deposit and post;
(RA - .20)

September 14, 2000 - Reconcile bank statement;
(SB - .10)

October 4, 2000 - Preparation of receipt of funds;
(CP - .10)

October 4, 2000 - Prepare deposit and post;
(RA - .20)

October 4, 2000 - Preparation of receipt of funds;
(CP - .10)

October 4, 2000 - Prepare deposit and post;
(RA - .20)

October 16, 2000 - Preparation of receipt of funds;
(CP - .10)

October 16, 2000 - Prepare three (3) deposits and post;
(RA - .40)

October 20, 2000 - Reconcile bank statement;
(SB - .10)

November 15, 2000 - Reconcile bank statement;
(SB - .10)

November 28, 2000 - Preparation of receipt of funds;
(CP - .10)

November 28, 2000 - Prepare deposit and post;
(RA - .20)

December 13, 2000 - Reconcile bank statement;
(SB - .10)

January 10, 2001 - Preparation of receipt of funds;
(CP - .10)

January 10, 2001 - Prepare deposit and post;
(RA - .20)

January 10, 2001 - Correspondence to Court requesting Clerk's Bill of Cost and docket sheet;
(RA - .20)

January 12, 2001 - Prepare disbursement check to Foster & Sear and post disbursement;
(RA - .20)

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January 16, 2001 - Reconcile bank statement;
(MR - .10)

January 22, 2001 - Receive and review Bill of Costs;
(RA - .10)

February 14, 2001 - Organize file;
(RA - .20)

February 14, 2001 - Reconcile bank statement;
(MR - .10)

February 14, 2001 - Copy all bank statements, deposit slips and canceled checks for delivery of originals to U. S. Trustee's office;
(MR - .30)

February 16, 2001 - Transfer funds from MMA to checking account at Bank of America and post accrued interest;
(RA - .20)

February 16, 2001 - Compile Trustee's Final Report for submission to U. S. Trustee;
(RA - .30)

RECAP OF SECRETARIAL & CLERICAL TIME:

REBECCA ALLEN -	4.20 hrs. @ \$15.00/per hr. = \$	63.00
CARI PARRISH -	2.50 hrs. @ \$15.00/per hr. =	37.50
SANDY BELSCHNER -	.50 hrs. @ \$15.00/per hr. =	7.50
MILLIE REEVES -	.50 hrs. @ \$15.00/per hr. =	7.50

TOTAL:	7.70 hrs. @ \$15.00/per hr. = \$	115.50
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SCHEDULE C
EXPENSES OF ADMINISTRATION

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. 11 U.S.C Sec. 507(a)(1) Court Costs and Fees	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec. 503(b)(1)(a) Preservation of Estate	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b)(2) Post-Petition taxes and related penalties	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b)(2) Compensation and Reimbursements				
A. Trustee - Compensation	3,406.88	3,406.88	0.00	3,406.88
B. Trustee - Expense	881.02	881.02	0.00	881.02
C. TRUSTEE ATTORNEY FEES	14,407.13	14,407.13	14,407.13	0.00
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. United States Trustee Fees	0.00	0.00	0.00	0.00
BkMk6 TOTALS:	\$18,695.03	\$18,695.03	\$14,407.13	\$4,287.90

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

form.bill

In Re:
Jimmie L. Davis

Debtor(s)

Case No: 97-91210 bp
Chapter: 7

FILED
U.S. BANKRUPTCY COURT
JAN 16 PM 1:31
CLERK U.S. BANKRUPTCY COURT
DEPUTY

BILL OF COURT COSTS

To: Stephen J. Zayler
P.O. Box 150743
Lufkin, TX 75915-0743

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are due and owing, pursuant to 28 USC Section 1930, in the above case in the amount of \$0.00.

These costs are itemized as follows:

NOTICES

\$.25 per notice in excess of 50 notices mailed prior to 1/1/87. \$
\$.50 per notice for all notices mailed 1/1/87 between 1/1/98. \$

NOTE: For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.
(Do Not Bill for \$.50 per notice)

NOTE: For all other chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$.50 per notice)

PROCESSING CLAIMS

NOTE: Eliminated is the fee of \$.25 for clerical processing of each claim in excess of 10 in cases filed under the Act or Code.

DEFERRED ADVERSARY FILING FEES

0 Chapter 7 Adversary Proceeding filed @ \$120.00/150.00 each. \$0.00

NOTE: For all Adversary Proceedings filed after 12/18/96 the filing fee is \$150.00.

TOTAL AMOUNT DUE \$0.00

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: 1/16/01

JAMES D. TOKOPH
Clerk of Court

By: P. English
Deputy Clerk

NOTE: For Chapter 11 Cases Only: Court costs are due on or before the confirmation hearing. The Judge will confirm that these cases have been paid at the hearing.

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SCHEDULE D

SECURED CLAIMS

Claim no.	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Due
TOTALS	0.00		0.00	0.00	0.00

IDENTIFICATION OF SECURED PARTIES AFFECTED:

Claim No. Name of Creditor

Claim No. Name of Creditor

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Amount Claimed	(2) Amount Allowed	(3) Amount Paid	(4) Due
1. For Credit extended - Sec. 364(e)(1)	0.00	0.00	0.00	0.00
2. Claims from failure of adequate protection - Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" - Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. - Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans - Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Consumer deposits - Sec. 507(a)(6)	0.00	0.00	0.00	0.00
7. Taxes - Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Other (No Basis):	0.00	0.00	0.00	0.00
TOTALS:	\$0.00	\$0.00	\$0.00	\$0.00

SCHEDULE E

PARTIES AFFECTED:

Priority No. Name of Creditor		Priority No. Name of Creditor		
FILED UNSECURED CLAIMS TOTAL:	6,477.91	6,477.91	0.00	6,477.91
SUBORDINATED UNSECURED CLAIMS TOTAL:	0.00	0.00	0.00	0.00

EXHIBIT A
ANALYSIS OF CLAIMS REGISTER

Case Number: 97-91210

Page 1

Date: February 16, 2001

Debtor Name: DAVIS, JIMMIE L.

Claim Type Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
025 TAF	FOSTER & SEAR, L.L.P. ATTORNEYS AT LAW 360 PLACE OFFICE PARK 1201 N. WATSON ROAD, SUITE 145 ARLINGTON, TX 76006	Administrative	Per Order dated 7-13-00.	\$0.00	\$14,407.13	\$14,407.13
Subtotal For Claim Type TAF TRUSTEE ATTORNEY FEES				\$0.00	\$14,407.13	\$14,407.13
1 070 UC	GREENWOOD TRUST COMPANY NOVUS SERVICES, INC. P. O. BOX 8003 HILLIARD, OH 43026	Unsecured		\$0.00	\$2,682.16	\$2,682.16
Subtotal For Claim Type UC UNSECURED CLAIMS				\$0.00	\$2,682.16	\$2,682.16
2 072 UL	MAX RECOVERY, INC., SUCCESSOR TO CHASE MANHATTAN BANK USA P. O. BOX 10228 NEWARK, NJ 07193-0228	Unsecured	Tardily filed.	\$0.00	\$1,754.28	\$1,754.28
3 072 UL	DIRECT MERCHANTS CREDIT CARD BANK, N.A. 4848 S 129TH EAST AVE. TULSA, OK 74134-7001	Unsecured	Tardily filed.	\$0.00	\$2,041.47	\$2,041.47
Subtotal For Claim Type UL UNSECURED LATE				\$0.00	\$3,795.75	\$3,795.75
Case Totals:				\$0.00	\$20,885.04	\$20,885.04

Code #: Trustee's Claim Number, Priority Code, Claim Type

(Trustee)

PROPOSED DISTRIBUTION

Case Number: 97-91210

Debtor Name: DAVIS, JIMMIE L.

Page 1

Date: February 16, 2001

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Payment	Interest Paid To Date	Proposed Interest	Total Proposed Pymt	Funds Remaining
Beginning Balance											
	Stephen J. Zayler - Fees COMPENSATION	Admin		\$3,406.88	\$0.00	\$3,406.88	\$3,406.88	\$0.00	\$0.00	\$3,406.88	\$19,411.72
	Stephen J. Zayler - Exp EXPENSES	Admin		\$881.02	\$0.00	\$881.02	\$881.02	\$0.00	\$0.00	\$881.02	\$16,004.84
	FOSTER & SEAR, L.L.P. ATTORNEYS AT LAW 360 PLACE OFFICE PARK 1201 N. WATSON ROAD, SUITE 145 ARLINGTON, TX 76006	Admin	025	\$14,407.13	\$14,407.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,123.82
1	GREENWOOD TRUST COMPANY NOVUS SERVICES, INC. P. O. BOX 8003 HILLIARD, OH 43026	Unsec	070	\$2,682.16	\$0.00	\$2,682.16	\$2,682.16	\$0.00	\$577.94	\$3,260.10	\$11,863.72
2	MAX RECOVERY, INC., SUCCESSOR TO CHASE MANHATTAN BANK USA P. O. BOX 10228 NEWARK, NJ 07103-0228	Unsec	072	\$1,754.28	\$0.00	\$1,754.28	\$1,754.28	\$0.00	\$378.00	\$2,132.28	\$9,731.44
3	DIRECT MERCHANTS CREDIT CARD BANK, N.A. 4848 S 129TH EAST AVE. TULSA, OK 74134-7001	Unsec	072	\$2,041.47	\$0.00	\$2,041.47	\$2,041.47	\$0.00	\$439.88	\$2,481.35	\$7,250.09
<< Totals >>				\$25,172.94	\$14,407.13	\$10,765.81	\$10,765.81	\$0.00	\$1,395.82	\$12,161.63	\$7,250.09

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE: JIMMIE L. DAVIS

/ BANKRUPTCY CASE: 97-91210

/

/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 300 Willow, Suite 100, Beaumont, Texas 77701, or at the trustee's office whose name and address is as follows:

STEVE ZAYLER 123 E. LUFKIN PO BOX 150743 LUFKIN, TX 75915

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>STEVE ZAYLER</u> Trustee	<u>3406.88</u>	<u>881.02</u>
<u>STEVE ZAYLER</u> Attorney for Trustee	<u>0.00</u>	<u>0.00</u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u></u>

The trustee's account shows:

Total Receipts	Total Disbursements	Balance
<u>\$ 33818.85</u>	<u>\$ 21657.22</u>	<u>\$ 12161.63</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 6477.91

The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on _____

at _____

Date: _____

JAMES D. TOKOPH, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE:
DAVIS, JIMMIE L.

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CASE NO. 97-91210

CHAPTER 7

DEBTOR(S)

**ORDER ALLOWING TRUSTEE'S FINAL APPLICATION FOR COMPENSATION
AND APPROVING TRUSTEE'S FINAL REPORT AND PROPOSED DISTRIBUTION**

ON THIS DAY came on for consideration the Trustee's Final Report filed by Stephen J. Zayler, the duly appointed Chapter 7 Trustee. The Court finds that notice of this hearing has been given as required by the Bankruptcy Rules. Upon due consideration, the Court finds that cause exists which justifies the entry of the following order:

IT IS THEREFORE ORDERED that the Chapter 7 Trustee's final application for compensation in the amount of **\$3,406.88** and for reimbursement of expenses in the amount **\$881.02** is **Granted**.

IT IS FURTHER ORDERED that the Trustee's Final Report is approved as submitted by the Chapter 7 Trustee, including approval of the payment of the following fees and charges assessed against the Estate under Chapter 123 of title 28 of the United States Code.

FEES/CHARGES

PROPOSED PAYMENT

Clerk Noticing/Claim Fees	\$0.00
Unpaid Adversary Filing Fees	\$0.00
Unpaid Quarterly Fees	\$0.00

IT IS FURTHER ORDERED that the Chapter 7 Trustee shall refund excess funds in the amount of **\$7,250.09** to the debtor.

IT IS FURTHER ORDERED that the Chapter 7 Trustee shall make final distribution of the amounts set forth in the Trustee's Final Report as approved by this Court and shall file a Supplemental Final Report and Account together with such bank statements as are necessary to document a zero balance in all Estate accounts, following compliance with Section 347(a) of the Bankruptcy Code and Bankruptcy Rule 3011, if applicable.

SIGNED this the _____ day of _____, 2001.

BANKRUPTCY JUDGE